

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>NEXUS BANKRUPTCY BENJAMIN HESTON (297798) 100 Bayview Circle #100 Newport Beach, CA 92660 Tel: 951.290.2827 Fax: 949.288.2054 ben@nexusbk.com</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Debtor</p>	<p>FOR COURT USE ONLY</p> <div data-bbox="1047 262 1432 535"><p>FILED & ENTERED</p><p>FEB 23 2023</p><p>CLERK U.S. BANKRUPTCY COURT Central District of California BY Mason DEPUTY CLERK</p></div> <p>CHANGES MADE BY COURT</p>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA -RIVERSIDE DIVISION</p>	
<p>In re:</p> <p>YVONNE GIOVANNA STEWART,</p> <p>Debtor(s).</p>	<p>CASE NO.: 6:23-bk-10528-SY CHAPTER: 13</p> <p>ORDER:</p> <p><input checked="" type="checkbox"/> GRANTING APPLICATION AND SETTING HEARING ON SHORTENED NOTICE</p> <p><input type="checkbox"/> DENYING APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE</p> <p>[LBR 9075-1(b)]</p>
<p>Movant (name): YVONNE GIOVANNA STEWART</p>	

1. Movant filed the following motion together with supporting declarations and (if any) supporting documents:
 - a. *Title of motion:* MOTION IN INDIVIDUAL CASE FOR ORDER IMPOSING A STAY
 - b. *Date of filing of motion:* February 21, 2023
2. Pursuant to LBR 9075-1(b), movant also filed an Application for Order Setting Hearing on Shortened Notice (Application) together with supporting declaration(s):

Date of filing of Application: February 21, 2023
3. Based upon the court's review of the application, it is ordered that:
 - a. ☐ The Application is denied. The motion may be brought on regular notice pursuant to LBRs.
 - b. ☒ The Application is granted, and it is further ordered that:

- (1) ☒ A hearing on the motion will take place as follows:

Hearing date: 2/28/2023	Place:
Time: 1:30 p.m.	<input type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012
Courtroom: 302	<input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367
	<input checked="" type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501
	<input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701
	<input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101

- (2) ☒ No later than the deadlines given, **telephonic notice** of the hearing must be provided to all persons/entities listed:

(A) <u>Deadlines:</u> Date: 2/23/2023 Time: 5:00 p.m.	(B) <u>Persons/entities to be provided with telephonic notice:</u> Chapter 13 trustee & Fay Servicing <input type="checkbox"/> See attached page
(C) <u>Telephonic notice is also required upon</u> the United States trustee	

- (3) ☒ No later than the deadlines given, **written notice of the hearing** and a **copy of this order** must be served upon all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☐ Overnight Mail ☒ First class mail ☐ Facsimile* ☐ Email*

(B) <u>Deadlines:</u> Date: 2/23/2023 Time: 5:00 p.m.	(C) <u>Persons/entities to be served with written notice and a copy of this order:</u> Chapter 13 trustee, Fay Servicing, and all creditors <input type="checkbox"/> See attached page
(D) <u>Service is also required upon:</u> -- United States trustee (<i>electronic service is not permitted</i>) -- Judge's copy personally delivered to chambers (see Court Manual for address)	

- (4) ☒ No later than the deadlines given, a copy of the motion, declarations, and supporting documents (if any), must be served on all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☐ Overnight Mail ☒ First Class Mail ☐ Facsimile* ☐ Email*

(B) Deadlines:

Date: 2/23/2023

Time: 5:00 p.m.

(C) Persons/entities to be served with motion, declarations, supporting documents:

Chapter 13 trustee, Fay Servicing, and all creditors

☐ See attached page

(D) Service is also required upon:

- United States trustee (*no electronic service permitted*)
- Judge's copy personally delivered to chambers
(see Court Manual for address)

- (5) ☒ Regarding **opposition to the motion**

☒ opposition to the motion may be made **orally** at the hearing

☐ no later than the deadlines given, **written opposition to the motion** must be filed with the court and served upon all persons/entities listed using: ☐ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☐ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☐ Email*

(B) Deadlines:

Date:

Time:

(C) Persons/entities to be served with written opposition to the motion:

- movant's attorney (or movant, if movant is not represented by an attorney)

(D) Service is also required upon:

- United States trustee (*electronic service is not permitted*)
- Judge's copy personally delivered to chambers
(see Court Manual for address)

- (6) ☒ Regarding a **reply to an opposition:**

☒ a reply to opposition may be made **orally** at the hearing.

☐ no later than the deadlines given, a **written reply to an opposition** must be filed with the court and served on all persons/entities listed using: ☐ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☐ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☐ Email*

(B) <u>Deadlines:</u> Date: Time:	(C) <u>Persons/entities to be served with written reply to opposition:</u> -- All persons/entities who filed a written opposition (D) <u>Service is also required upon:</u> -- United States trustee (<i>electronic service is not permitted</i>) -- Judge's Copy personally delivered to chambers (see Court Manual for address)
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(7) ☐ Other requirements:

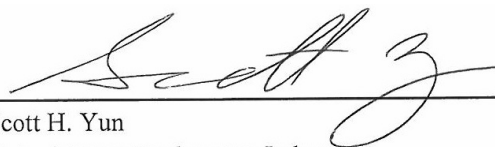
- (8) ☒ No later than the deadlines given, movant must file a **Declaration of Notice and Service** establishing that telephonic notice, written notice, and service of the motion and this order was completed as set forth above, and a **judge's copy** of the Declaration of Notice and Service must be personally delivered to the judge's chambers:

<input checked="" type="checkbox"/> at least 2 days before the hearing.
<input type="checkbox"/> no later than: Date: Time:

* Service by electronic means (facsimile or email) requires compliance with F.R.Civ.P. 5(b)(2)(E).

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Date: February 23, 2023



Scott H. Yun
United States Bankruptcy Judge

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**100 Bayview Circle, Suite 100
Newport Beach, CA 92660**

A true and correct copy of the foregoing document entitled (*specify*): **ORDER GRANTING APPLICATION AND SETTING HEARING ON SHORTENED NOTICE ON MOTION AND MOTION IN INDIVIDUAL CASE FOR ORDER IMPOSING A STAY OR CONTINUING THE AUTOMATIC STAY AS THE COURT DEEMS APPROPRIATE** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 2/23/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Rod Danielson (TR) notice-efile@rodan13.com
Benjamin Heston bhestonecf@gmail.com, benheston@recap.email, NexusBankruptcy@jubileebk.net
Edward A Treder cdcaecf@bdfgroup.com
United States Trustee (RS) ustpregion16.rs.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 2/23/2023 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Judge Scott H. Yun
3420 Twelfth Street
Suite 345 / Courtroom 302
Riverside, CA 92501

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL

Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 2/23/2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed (state method for each person or entity served):

Judge Scott H. Yun

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2/23/2023
Date

Benjamin Heston
Printed Name

/s/Benjamin Heston
Signature

BAKERSFIELD HOMES, LLC

1303 CALAVERAS PARK DR
BAKERSFIELD, CA 93311-5114

**BARRETT DAFFIN FRAPPIER
TURNER & ENGEL LLP**

4004 BELT LINE ROAD SUITE 100
ADDISON, TX 75001-4320

CAPITAL ONE

PO BOX 31293
SALT LAKE CTY, UT 84131-0293

**DISCOVER FINANCIAL
SERVICES**

PO BOX 30943
SALT LAKE CTY, UT 84130-0943

EDFINANCIAL SERVICES

120 N SEVEN OAKS DR
KNOXVILLE, TN 37922-2359

**ELITE COMMUNITY
MANAGMENT**

38760 SKY CANYON DR STE C
MURRIETA, CA 92563-2562

ESCROW SERVICES, INC

PO BOX 1512
MANDEVILLE, LA 70470-1512

FAY SERVICING LLC

PO BOX 814609
DALLAS, TX 75381-4609

**MIDLAND CREDIT
MANAGMENT**

PO BOX 939069
SAN DIEGO, CA 92193-9069

SHELLPOINT MORTGAGE

75 BEATTIE PL STE 300
GREENVILLE, SC 29601-2138

REGISTERED AGENT SOLUTIONS, INC.

Agent for service of process for
FAY SERVICING, LLC
720 14TH STREET
SACRAMENTO, CA 95814

EDWARD J. FAY

CEO OF FAY SERVICING, LLC
720 14TH STREET
SACRAMENTO, CA 95814

OFFICE OF THE US TRUSTEE

3801 UNIVERSITY AVE, SUITE 720
RIVERSIDE, CA 92501

BARRETT DAFFIN FRAPPIER TREDER & WEISS

3990 E. CONCOURS STREET, SUITE 350
ONTARIO, CALIFORNIA 91764